

file

State of Washington
Department of Ecology
Yakima, Washington

| | | |
|-----------------------------------|---|------------------|
| IN THE MATTER OF APPLICATION FOR |) | |
| CHANGE BY DUANE KIKENDALL TO ADD |) | Findings of Fact |
| A POINT OF WITHDRAWAL UNDER |) | and Decision |
| SURFACE WATER CERTIFICATE NO. 945 |) | |

BACKGROUND

General:

On March 1, 1998, John Burns of Carlton, Washington filed a water right change application with this office requesting authorization to add a point of withdrawal to Surface Water Certificate No. 945 (SWC 945). It was numbered CS4-SWC945(K). The application was accepted and public notice was made. Three letters were received within the thirty-day protest period.

In November of 1993, this application was assigned to Duane Kikendall.

A second notice and publication appeared in the Methow Valley News on November 12, and 19, 1998. The 30 day protest period expired on December 19, 1998. Three letters were received within the thirty-day protest period.

The applicant's property is located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, T. 32 N., R. 22 EWM situated approximately $\frac{1}{2}$ mile east of the town of Carlton on the east side of the Methow River. The property as described consists of approximately 9.5 acres.

The applicant filed this application because of his continuing difficulties in receiving adequate water delivery from the MVID (Methow Valley Irrigation District) canal. His property is located near the end of the historic MVID eastside canal. The MVID canal terminates at a spill located approximately 5000 feet southeasterly from the property in the southeast corner of Section 29. The applicant requests, with this application, authorization to use a well on his property as his source of irrigation water for his property under SWC 945.

The property has not been formally excluded from the MVID service area. The MVID Board of Directors intends to act on each exclusion following completion of the entire project (MVID Resolution 98-15).

Approval of this application would mean that the applicant's portion of the MVID water right could not be diverted from the Methow River for delivery to irrigate the applicant's property or any other property via the MVID eastside canal. This application is one of many change applications filed by MVID landowners seeking to use a well to exercise their portion of the MVID water right.

MVID Description and Background:

The MVID encompasses an area of approximately 2276 acres of land on the floor of the Methow Valley generally between the towns of Twisp and Carlton. MVID utilizes two canals to divert and transport water. The west canal diverts water from the Twisp River at River Mile 4.3 and serves lands lying west of the Methow River. The east canal diverts water from the Methow River at River Mile 44.8 and serves lands lying east of the Methow River. Farm lands within the District boundaries total 1577 acres and review of aerial photography shows that at least 1240 acres appear to have a consistent history of use.

The MVID system was constructed at the turn of the century and supplied orchards and other lands principally using flood irrigation techniques. Many area orchards were severely damaged by cold weather in 1968 and were cut down. Current water use in the District is for alfalfa, grass hay, pasture, lawn watering, and orchard. Sprinkler systems are now commonly used throughout the District.

INFO ONLY

The MVID system suffers from significant conveyance losses in addition to operational and maintenance problems. Water supply to the lower ends of each canal has been unreliable for at least the past 20 years. In response to these issues, the MVID has evaluated several alternatives to improve their water use efficiency and service delivery to its patrons.

In 1988, the Department of Ecology (Ecology) required MVID to conduct an assessment of its water use. Klohn Leonoff was retained by MVID to conduct the assessment and recommend improvements to the MVID water system. The assessment and recommended infrastructure improvements is documented in Water Management Plan for Methow Valley Irrigation District, Kohn Leonoff, January 19, 1990. The recommended plan was to restructure the District, eliminate the lower portion of each of the two major ditches, convert the lower portion of the system to be served by wells, and to improve the delivery system in the upper portion of the District to reduce conveyance loss.

The period of time from 1991 to 1995 can be characterized as a tumultuous period for the MVID members and the Board of Directors as they attempted to move forward to implement the Kohn Leonoff recommendations. The Yakama Nation filed a Writ of Mandamus in Thurston County Superior Court in 1991 seeking to compel Ecology to prevent continued waste of water within the MVID. By 1995, MVID committed to further efforts directed at evaluating cost effective solutions for improving water efficiency and prepared Methow Valley Irrigation District Water Supply Facility Plan, Montgomery Water Group, June 1996.

The preferred alternative for improving the MVID facilities is described as Alternative 4 in Methow Valley Irrigation District Water Supply Facility Plan, Montgomery Water Group, June 1996. This alternative also appears as Alternative A in the Methow Valley Irrigation District Project: Final Environmental Assessment and Finding of No Significant Impact DOE/EA - 1181, December 1997.

The total project cost for the preferred alternative is estimated to be approximately \$4 million. This alternative would replace the two canal systems with pressurized pipes serving the upper half of the existing MVID. Well fields would be used instead of surface diversions from the Twisp and Methow rivers. The lower half of the existing MVID would be changed to wells serving individual parcels or small clusters of land in multiple ownership. MVID proposes to transfer the portion of the District's right to the individual(s) who would use the wells, compensate them for the capital cost of the well, and then exclude the lands from the MVID. Therefore, the gross area to be served by the MVID following implementation will diminish in direct proportion to the lands approved for water right changes that would be excluded from the District.

Protests and Concerns:

The following written objections have been filed against the approval of the approximately 100 applications to change the MVID's claim or certificate:

- On November 16, 1998, this office received a letter from the Okanogan Wilderness League (OWL). This correspondence is considered a letter of concern since adequate protest fees were not received.
- On December 18, 1998, this office received a formal protest from the Methow Valley Canal Associates (MVCA) accompanied by a list of owners.
- On December 21, 1998, this office received a letter from Kreg Sloan. This correspondence is considered a letter of concern since adequate protest fees were not received.

The Methow Valley Canal Associates protest and Kreg Sloan's letter expressed concern that the MVID proposal will be detrimental to existing rights and the environment by adversely impacting water quality, ground water, and surface water availability. Additionally, concerns are expressed about the future increased costs for remaining MVID water users if the Environmental Assessment Alternative A is constructed and the low end water users are allowed to develop their own sources of water supply and leave the District. The Okanogan Wilderness League letter of concern cited that many of the applications for change are for relinquished or abandoned water rights.

Ecology has considered these concerns and protests and has attempted to address them within the text of this decision; especially within the sections titled Environmental Review, Beneficial Use Analysis, Hydrogeologic Setting, and Impairment, Qualifying Ground Water Withdrawal Facilities, and Well Interference.

Environmental Review:

The Methow Valley Irrigation District issued a Declaration of Nonsignificance (DNS) for the adoption and implementation of their Water Supply Facility Plan on February 23, 1996. The SEPA checklist and DNS were circulated to agencies and a comment period ending on March 15, 1996 was provided. Comment letters were received from 29 individuals, groups, and agencies. Appendix H of the Methow Valley Irrigation District Water Supply Facility Plan, Montgomery Water Group, June 1996 contains the DNS, SEPA checklist, comment letters, and responses to comments.

The Bonneville Power Administration (BPA) published a NEPA Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) in December 1997. Appendix H of the EA contains 21 comment letters on the June 1997 draft EA and responses to the comments.

The preferred alternative has been considered and compared to other possible alternatives. On October 13, 1998, the MVID Board of Directors passed resolution 98-15 authorizing the District to proceed with Alternative A described in the Methow Valley Irrigation District Project: Final Environmental Assessment and Finding of No Significant Impact DOE/EA - 1181, December 1997 [Environmental Assessment]. Alternative A includes the following elements:

- A new irrigation system using 18 inch ground water wells in three separate well fields (one for the east canal and two for the west canal) with three small storage reservoirs and 13 miles of new low pressure pipe to be placed in the existing right of way.
- Several canal reaches (east canal reaches 1, 2, lower 4, 5, and 6; west canals 1, middle 3, and 5) will be abandoned and replaced with existing or new, privately-owned ground water irrigation wells.
- A portion of east canal, reach 2, will be replaced with a pipeline and turned over to the Barkley Ditch for their use.
- MVID members leaving the District will have their MVID right transferred to new wells with the same priority date as the MVID certificate or claim. The remaining District members will be served by the piped system.
- BPA, WDOE, and WDFW will fund the new system construction and provide compensation for members leaving the District. The total estimated cost for Alternative A is \$4.6 million.

MVID and Ecology are currently installing test wells to pump test for the purposes of demonstrating the feasibility and suitability of selected locations for the proposed well fields to supply water to the upper half of the District.

Applications for change to implement Alternative 4 of the MVID Water Supply Facility Plan are being expedited by Ecology under Chapter 173-152 Washington Administrative Code (WAC) because the project substantially enhances the natural environment (Appendix F, Methow Valley Irrigation District Water Supply Facility Plan; Section 3.1.2.1 Methow Valley Irrigation District Project Final Environmental Assessment and Finding of No Significant Impact DOE/EA-1181).

INVESTIGATION

Applicant's property:

A field examination of the property was conducted on April 28, 1999. The applicant was not present. Information gathered during the examination, and review of office records produced the following:

A house, shed and garage are located in the southeasterly corner of the property based on review of the 1975 and 1983 aerial photos. Approximately 8.2 acres of this property have been irrigated

in the past. Solid set sprinklers are constructed through the property. A well was constructed in the northwest corner of the property in 1977. The property is assessed for 9.51 acres by the MVID.

The applicant has an existing well located approximately 800 feet south and 800 feet west of the northeast corner of Section 29, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T. 32 N., R. 22 E.W.M. The well log indicates the well was constructed in 1977 to a depth of 140 feet. The well penetrates the sands and gravels to a depth of 102 feet, and into the granite to a final depth of 140 feet. The static water level is identified as 69 feet below ground surface. The well was constructed under authorization of Ground Water Certificate No. G4-25514C.

The wells in the vicinity penetrate the underlying alluvial materials, and are hydraulically connected to the Methow River. The well is approximately 2200 feet from the Methow River.

Within 1000 feet of the proposed well site, there are wells used for domestic supply purposes, and some for irrigation. These wells all penetrate the alluvial aquifer.

Based upon the local site visits and well construction reports, the well serving the properties in Section 29 and the south half of the southeast quarter of Section 20 are withdrawing water from the unconfined alluvial aquifer which is in hydraulic connection with the Methow River. It appears that all of the pending applications in Section 29 and south half of southeast quarter of Section 20 would have physical opportunity to penetrate this unconfined alluvial aquifer. Only two wells, one located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, and one in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 have fully penetrated the alluvial aquifer.

MVID Water Rights:

The MVID filed Surface Water Right Claim No. 003935 on April 1, 1971 claiming the diversion of 120 cubic feet per second from the Twisp River for the irrigation of 705 acres of land, being within the Methow Irrigation District, lying west of the Methow River. The claimed first use is 1908.

The MVID received Surface Water Certificate No. 945 in 1936. This Surface Water Certificate authorized the diversion of 150 cubic feet per second from the Methow River for irrigation of a maximum of 1366.36 acres of land; being within the Methow Irrigation District, lying east of the Methow River. The priority date of the authorization is August 22, 1919.

Other Water Rights Appurtenant the Applicant's Property:

A short form Water Right Claim is directly associated with this parcel. Water Right Claim No. 074962, filed by John Burns claims the use of ground water for domestic, stockwater, and irrigation of lawn. No claimed date of use is identified. The described property is Tax 25 Pt NE NE Section 29, T. 32 N., R. 22 E.W.M.

The intent of the Claims Registration Act, Chapter 90.14 RCW, was to document those uses of surface water in existence prior to the adoption of the State Surface Water Code, Chapter 90.03 RCW, which was adopted in 1917, and those uses of ground water in existence prior to the adoption of the State Ground Water Code, Chapter 90.44 RCW, which was adopted in 1945. Since each code(s) adoption, the only means of acquiring a water right within the state is by filing for, and receiving, a permit from the Department of Ecology or one of its predecessors or is allowed under the domestic exemption to the ground water code (RCW 90.44).

The Department of Ecology recognizes that the final determination of the validity and extent associated with a claim registered in accordance with RCW 90.14 ultimately lies with the Superior Court through the general adjudication process provided for by Sections 90.03.110 through 90.03.240 RCW.

The property is described in Ground Water Certificate No. G4-25514C, in the name of John Burns. Ground Water Certificate No. G4-25514C confirms a use of 125 gallons per minute, 38 acre-feet per year for supplemental irrigation of 9.5 acres.

The Methow Valley Irrigation District Final Environmental Assessment and Findings of No Significant Impact dated December 1997, paragraph 3.1.2.1, determined that an instantaneous appropriation rate of 0.02 cubic feet per second per acre, and a standard annual appropriation of 4 acre-feet per acre would be sufficient to irrigate field crops in the Methow Valley.

Beneficial Use Analysis:

RCW 90.03.380 provides that a water right that has been applied to beneficial use can be changed. Ecology cannot adjudicate a claim to a water right except as provided in RCW 90.03.110 through .245. However, Ecology must make a tentative determination of the validity and extent of a water right or water right claim in order to render a change decision.

Ecology acquired the available aerial photography showing lands within the central Methow valley, which includes land within the boundaries of the MVID. Black and white aerial photographs were obtained for the years of 1945, 1954, 1975, and color photographs were obtained for the years 1983 for the entire District and a flight in 1994 covering the upper part of the District.

The series of photos offer differing resolution, color, and areal coverage. The 1983, 1994, and 1954 photo sets were of the most interpretive value due to their higher quality. The 1983 photo set was of the greatest value because it was the only color photo set to cover the entire District, and it is relatively recent. The 1983 and 1994 color photographs allowed for the most accurate interpretation of irrigated land because, in addition to crop color and crop patterns, sprinkler patterns could also be identified.

The evaluation of lands was limited to the boundaries of the MVID and does not include the rural residential area within the Town of Twisp.

Ecology's tentative determination as to the historically irrigated lands within the MVID boundaries is based upon all five aerial photograph sets, the field investigation of the applicant's parcel, and interview of the applicant(s).

The following table illustrates the results of the tentative determination of the beneficial use analysis:

| | Irrigated (1983) Acres | Farmed and Irrigable Acres |
|------------------------------------|------------------------|----------------------------|
| Water Right Claim 003935, total | 443.7 | 541.8 |
| below Booth Canyon | 160.4 | 194.7 |
| Water Right Certificate 945, total | 797.2 | 1036.2 |
| below Beaver Creek | 394.1 | 568.2 |
| TOTAL | 1240.9 | 1578.0 |

Based on a comparison of the 1983 and 1954 photo sets, Ecology has also concluded that the total acreage irrigated within the MVID boundaries did not change appreciably from 1954 to 1983; although there are some differences in the actual parcels irrigated. Further, the total irrigable acreage, based upon the lands actually cleared and farmed during the past 50 years is approximately 1578 acres.

In addition, Ecology performed field investigations of properties of the individuals requesting water right changes. The field investigation included interviews with the then-current owner or farm operator. The site inspection identified parcels that are also irrigated from another source (such as a supplemental well) under a valid water right or claim. The primary/supplemental relationship between the MVID water use and the other right or claim is clarified on a parcel-by-parcel basis.

The normal annual maximum on-farm water duty that Ecology has authorized in the area is 4 acre-feet per acre. This amount of water is adequate to meet the crop irrigation requirement and allow for non-uniform water application typical of a sprinkler system, which is typically 65 to 70% efficient. This 4 acre-feet per acre allowance ("water duty") does not include a reasonable conveyance loss that MVID would be entitled to if the canal systems would be

operated in the future. Since the rehabilitation plan is to convert the canals to a pressure distribution system, inclusion of a reasonable conveyance loss is not necessary.

The total annual quantity that has been diverted from the Twisp and Methow is therefore 1774.8 and 3188.8 acre-feet, respectively. The total from both diversions under Water Right Claim 003935 and Certificate 945 is 4963.6 acre-feet per year.

MVID excluded 77.5 acres at the lowermost end of the west-side canal in the early 1990s. These lands are included in the 1578 acres identified above. Ecology approved changes to add points of withdrawal for those parcels that were excluded. The total authorized quantity to be withdrawn from those wells was 310.0 acre-feet per year. MVID also has contracted with the Town of Twisp for delivery of 400 acre-feet per year. Subtracting these previous obligations from the total beneficially used quantity, leaves MVID 4253.6 acre-feet per year for irrigation of up to 1501 acres of irrigable land, or 2.83 acre-feet/acre per year.

Hydrogeologic Setting:

From the Town of Carlton to just slightly north of the boundary between T32N and T33N, the axis of the Methow valley floor is generally coincident with a fault line contact. West of the contact, metamorphic rocks of the McClure Mountain unit are predominate. East of the contact, the Methow Gneiss and the Leecher Metamorphics (except in Section 29, T32N, R22E, where these rocks outcrop on the east and west side of the valley) occur along with minor intrusive igneous rocks. North of the boundary between T32N and T33N and updrainage to at least the Town of Twisp, the western Methow valley walls are formed predominately from volcanic and sedimentary rocks of the undivided Newby Group. To the east, in this region, the Methow valley opens to the mouth of the Beaver Creek drainage where plutonic rocks of the Frazer Creek Complex occur. North of the creek mouth, the east wall of the Methow valley is formed by rocks of the undivided Newby Group. Together, these bedrock units form the base and valley walls now filled with unconsolidated alluvial and glacial sediments that form the generally unconfined valley fill aquifer between the towns of Twisp and Carlton.

In this region, the unconfined aquifer is commonly composed of glacial, fluvial and alluvial cobbles, gravels, sands, some silts and discontinuous clays. Near the confluence of Beaver Creek and the Methow River valley, deposits of stratified clays and silts have been recognized. Cemented gravels, suggesting remnant glacial tills have been noted on some area well logs. Recharge to the unconfined aquifer is derived from precipitation and potentially from side drainage sub-surface flow, but is largely dependent on surface water exchange with the Methow River. As a result, a high degree of hydraulic connection between the Methow River and the valley fill aquifer is recognized. Studies in the upper Methow suggest there is "little practical distinction between the stream and the shallow aquifer...[which] implies that the entire hydrologic unit should be considered as a single phenomenon..." (Emcon, 1993). In this lower reach, between Twisp and Carlton, sediments are less coarse and reflect downstream fining processes, yet, hydrogeologically are expected to behave in a similar manner. It should also be noted that while some reaches of the river gain flow from the aquifer other reaches lose flow to the aquifer. Such stream-aquifer relationships tend to fluctuate as the hydrologic system responds to seasonal effects.

Impairment, Qualifying Ground Water Withdrawal Facilities, and Well Interference:

There are three concepts that are important when considering whether a withdrawal of water from a well would impair another existing water right. The concepts are defined as follows:

Impairment is an adverse impact on the physical availability of water for a beneficial use that is entitled to protection (i.e. a senior water right).

Qualifying ground water withdrawal facilities are defined as those wells which in the opinion of the Department are adequately constructed. An adequately constructed well is one that (a) is constructed in compliance with well construction requirements; (b) fully penetrates the saturated thickness of an aquifer or withdraws water from a reasonable and feasible pumping lift (WAC 173-150); (c) the withdrawal facilities must be able to accommodate a reasonable

variation in seasonal pumping water levels; and (d) the withdrawal facilities including pumping facilities must be properly sized to the ability of the aquifer to produce water.

Well interference may occur when several wells penetrate and withdraw ground water from the same aquifer. Each pumping well creates a drawdown cone. When several wells pump from the same aquifer, well density, aquifer characteristics and pumping demand, may result in individual drawdown cones that intersect and form a composite drawdown cone. At any point in an aquifer, the composite drawdown caused by pumping wells will be greatly influenced by the transmissivity(T) of the aquifer. In aquifers with high Ts, composite drawdown will generally be much less than in aquifers with similar properties but with low Ts. Transmissivity is related to hydraulic conductivity(K) and the saturated thickness(b) of an aquifer by the relationship $T=Kb$.

An aquifer's hydraulic conductivity(K) is derived from the physical properties of both the fluid and geologic materials that form an aquifer. Once formed, an aquifer's saturated thickness(b) becomes important in evaluating its Transmissivity. For regions of similar K in an aquifer, a large saturated thickness will result in a much higher T than a small saturated thickness. As a result, regions of similar K in an aquifer with a large saturated thickness will experience less composite drawdown or well interference than with a small saturated thickness.

Some conditions, however, will increase or steepen composite drawdown in an aquifer. For instance, where characteristics (such as very fine, clay rich, or poorly sorted sediments) of an unconfined aquifer cause significant drawdown relative to the saturated thickness, the composite drawdown will increase as the saturated thickness is reduced and the T becomes smaller. Additionally, in regions where negative or no-flow boundaries occur, such as near the edges of a valley fill aquifer where it is bounded by bedrock, composite drawdown will be steeper than in the central part (generally the greatest thickness region) of the aquifer. Consequently, it is commonly understood that the greatest composite drawdown or well interference is more likely to occur in regions of low transmissivities, thin saturated thickness' and near negative or no-flow boundaries than in regions of high transmissivities, large saturated thickness', and away from negative or no-flow boundaries.

The applicant proposes to use a well located approximately 800 feet south and 800 feet west from the northeast corner of Section 29, T. 32 N., R. 22 EWM. The majority of wells in this area terminate above the bottom of the aquifer and do not utilize the aquifer's full saturated thickness(b). Although records from wells terminating above the aquifer's base show a saturated thickness of at least 15 to 66 feet in this area, records from the well constructed under Ground Water Certificate No. G4-25514C show bedrock encountered at approximately 102 feet below the ground surface and locally record only a 33 foot saturated thickness. Hydraulic conductivities(K) here are estimated to range roughly between 67 to 94 feet/day. Transmissivities(T), then, for a 30 foot saturated thickness would range between 2010 to 2820 square feet/day. Evaluation by Theis nonequilibrium equation coupled with image well theory to simulate aquifer boundary conditions, using this range of T, indicate that at approximately 25 feet from the applicant's well, aquifer drawdown due to the requested change will be about 5.30 feet or less. As a result, at the annual quantity requested for authorization, composite drawdown/well interference which may occur is not expected to be significant. It should be noted that the depth to bedrock here limits the possibility of drilling into a greater saturated thickness in the unconfined valley aquifer. As a result, best management practices are encouraged.

Findings

A portion of Surface Water Certificate No. 945 is appurtenant to this property. The property has been historically and beneficially irrigated from the MVID ditch system. The current irrigable property consists of 8.2 acres.

There is a supplemental right associated with this parcel, described in Ground Water Certificate No. G4-25514C.

There is an unconfined alluvial aquifer underlying this property and withdrawals from this aquifer are hydraulically connected with the Methow River.

The Environmental Assessment considered the environmental impacts of several alternatives and the MVID Board of Directors concluded that Alternative A is in the best interests of the District. The requested change will not be contrary to the public interest.

Ecology has tentatively found that the water uses documented within the water right record and described within this report have not been abandoned under the common law or relinquished pursuant to RCW 90.14.

The Water Right Certificate No. 945 has been beneficially used to irrigate 1036.2 acres, up to 3188.8 acre-feet per year.

Although there may be some localized drawdown in the water table, the drawdowns would not be significant. Addition of a point of withdrawal as an authorized source of irrigation water for a portion of the MVID water right will not impair existing water rights.

Recommendations

Based on the above facts and conclusions, I recommend that the requested additional point of withdrawal for Surface Water Certificate No. 945 be allowed as follows:

The authorized additional point of withdrawal will be located approximately 800 feet south and 800 feet west of the northeast corner of Section 29, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T. 32 N., R. 22 E.W.M, Okanogan County, WA.

The well will be the authorized source of the portion of the MVID water right embodied in Surface Water Certificate No. 945 being 0.16 cfs (74 gpm), 23.2 acre-feet of water per year, for irrigation of 8.2 acres.

The property is described as follows:

S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying westerly of the Methow Valley Canal, Section 29, T. 32 N., R. 22 E.W.M. Tax Parcel No. 3222290025

Provisions

The applicant may not withdraw water under this authorization until the following conditions are met:

1. MVID passes a resolution approving this additional point of withdrawal under water right certificate 945; and,
2. The MVID east canal below Benson Creek is removed from service;

OR,

1. MVID approves exclusion of the applicant's property from the District; and,
2. The MVID east canal below Beaver Creek is removed from service.

The authorized period of use is limited to the irrigation season (April 1 through October 15).

The applicant has until the times outlined below to begin construction, complete construction, and appropriate water for beneficial use:

Begin Construction by June 1, 2001
Complete Construction by June 1, 2002
Apply water to full beneficial use by June 30, 2003

The well construction shall be limited to the unconsolidated alluvial aquifer.

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage may be installed in addition to the access port.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

A suitable measuring device approved by the Department of Ecology shall be installed and maintained in accordance with WAC 508-64-020 through WAC 508-64-040. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being diverted, bi-weekly (every two weeks) readings of the measuring device shall be recorded and maintained by the permittee. These records shall be made available to the Department of Ecology upon request. The permittee shall also submit the annual water withdrawal readings when Notice of Full Beneficial Use (notarized Proof of Appropriation form) is filed (reference development schedule).

A Proof inspection will be conducted prior to final certificate issuance. The certificate will reflect the extent the project is perfected within the limitations of the permit. Aspects will include as appropriate the source hydraulically connected to surface water, system instantaneous capacity, beneficial use, annual quantity, and acreage.

The water sources and/or water transmission facilities may not be located entirely upon the land owned by the applicant. Therefore, the applicant is advised that issuance of a permit by this department for appropriation of the waters in question does not convey a right of access to, or other right to use, land which the applicant does not legally possess.

For
REPORT BY: Kevin Brown DATE: 3/30/2000
 Kevin Brown
APPROVED BY: Robert F. Barwin DATE: 3/30/2000
 Robert F. Barwin, Section Manager

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